

Amendments to the Drawings:

The attached sheets of drawings include Figs. 1-5, which replace the original sheets including Figs. 1-5. No new matter has been added.

Attachment: Replacement Sheets

REMARKS/ARGUMENTS

As filed, the application included claims 1-27. No claims have been amended, canceled, or added. Hence, after entry of this Amendment, claims 1-27 stand pending for examination.

The drawings stand objected to because the specification refers to reference numerals 104 and 108 as “Network,” rather than the defined terms of “First Communication Network” and “Second Network.”

The specification was objected to for various informalities.

Claims 1-9, 11, 12, 14-16, 22-25 and 27 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the cited portions of U.S. Patent No. 6,012,035 to Freeman, Jr. et al. (“Freeman”) in view of the cited portions of U.S. Patent No. 4,491,725 to Pritchard (“Pritchard”).

Claims 10, 13, 19, 20 and 26 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Freeman in view of Pritchard, as applied to claims 1 and 11, and further in view of the cited portions of U.S. Patent No. 5,070,452 to Doyle, Jr. et al. (“Doyle”).

Claims 17 and 18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Pritchard in view of Doyle.

Claim 21 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Freeman in view of Pritchard and Doyle, as applied to claim 20, and further in view of the cited portions of U.S. Patent No. 6,108,641 to Kenna et al. (“Kenna”).

Drawing Objections

The Applicants are unable to understand the objection to the drawings. It appears the objection is really an objection to the use in the specification of “network 104” and “network 108” subsequent to the first appearance of “first communication network 104” and “second

network 108,” respectively. The Applicants, therefore, respectfully traverse the objection inasmuch as the subsequent use of the terms in the specification clearly indicate which of network 104 and network 108 are being referred to by virtue of the use of the corresponding reference numerals. If, however, the Applicants have misunderstood the objection, then clarification is respectfully requested.

Specification Objections

The Applicants have corrected the typographical error in ¶[0043] but are unable to locate an error in ¶[0016]. The Applicants respectfully request that the error be pointed out specifically so that the Applicants can correct it.

Rejections Under 35 U.S.C. § 103(a)

The Applicants respectfully traverse the claim rejections under 35 U.S.C. §103(a), since the Office Action has not established a case of prima facie obviousness. Specifically, the Office Action has not cited a reference for each and every claim element, and the Office Action has not provided a valid motivation for combining the references.

Claim 1 is believed to be allowable because the motivation identified by the Office Action would not lead to the combination of Pritchard and Freeman. Specifically, in light of the motivation cited by the Office Action, “ensuring a person is covered by a valid insurance policy” would not lead one to combine the two references. Both references appear to satisfy the motivation independently. Hence, there exists no need, based on the stated motivation, to continue searching for the other reference once one is located, since both satisfy the motivation, and claim 1 is believed to be allowable, at least for this reason. Claims 2-10 depend from claim 1 and are believed to be allowable, at least for the same reason. Claim 11 is rejected based on the same motivation and is believed to be allowable, at least for this reason. Claims 12-16 depend from claim 11 and are believed to be allowable, at least for the foregoing reason.

Claim 1 is believed to be allowable because the cited references do not teach or suggest “receiving at a financial transaction processing computer system a member identifier relating to the member.” The Office Action appears to suggest that the bank terminal 315 taught by Freeman is a financial transaction processing computer. There is no teaching or suggestion, however, that the bank terminal is a “financial transaction processing computer system.” It appears the terminal is merely a data terminal for supplying eligibility and credit verification (col. 8, ll. 1-5) and is not a “financial transaction processing terminal.” Hence, claim 1 is believed to be allowable, at least for this additional reason.

Claim 2 is believed to be allowable for the additional reason that the cited references do not teach or suggest “wherein the financial transaction processing computer system comprises a credit card processing system.” The Office Action cited Freeman for this teaching. At the cited location, however, Freeman refers to swiping a patent ID card through a “credit card type machine.” This fails, however, to teach or suggest that the “financial transaction processing computer system” (i.e., the bank terminal on the other end of the network) is a credit card processing system. “Credit card type machine(s)” may be configured to dial a variety of systems; to assume that such a machine at a doctor’s office necessarily contacts a credit card processing system is an invalid assumption. Hence, claim 2 is believed to be allowable, at least for this additional reason.

Claim 3 is believed to be allowable for the additional reason that the cited references do not teach or suggest “wherein the member identifier is received in credit card number format.” The Office Action cites Pritchard for this teaching, but nowhere does Pritchard teach or suggest that the identifier is received in credit card number format.

Similarly, claim 5 is believed to be allowable for the additional reason that the cited references do not teach or suggest that the “individual code is received in a format relating to currency.” The Office Action states that the Examiner interprets the code in currency format to represent a symbol, which, according to the reasoning of the Office Action, may be replaced “without changing the scope of the invention.” The Applicants are unable to find rational for

this rejection in the guidelines. It appears that the Office Action is stating that Freeman, in fact, does not teach or suggest the element, in which case, the rejection is invalid. Hence, claim 5 is believed to be allowable for this additional reason.

Claim 12 is believed to be allowable for additional reasons similar to claim 5. Claim 12, however, recites that the “identifier information comprises an individual code in a currency field,” thereby further distinguishing claim 12 from the cited references.

Claim 17 is believed to be allowable because the cited references do not teach or suggest “an account number in credit card format” and “a list of covered members.” Pritchard is cited for the credit card number format, but does not address the format of the number being credit card format, even though the card may be like a credit card. In fact, Pritchard depicts (Fig. 2, ref no. 18) a number NOT in credit card format. Hence, Pritchard appears to teach away from the invention. Doyle is cited for the list of covered members, but Doyle does not teach or suggest that the list is actually on the credit card as the claim recites. Hence, claim 17 is believed to be allowable, at least for this additional reason. Claim 18 depends from claim 17 and is believed to be allowable, at least for the reason stated above.

Claim 19 is believed to be allowable because the cited references do not teach or suggest an account number in credit card format, as stated above, and dependent codes in currency format, also discussed above. Hence, claim 19 is believed to be allowable, at least for the reasons stated above.

Claim 20 recited placing the dependent codes on the card, thereby further distinguishing claim 20 from the cited references. Claim 21 depends from claim 19 and is believed to be allowable, at least for the reasons stated above.

Claim 22 is believed to be allowable because the cited references do not teach or suggest a host computer system that is “programmed to receive insurance information from a point-of-sale device via the credit card processing network and verify coverage.” The Office Action does not specifically address the use of a credit card processing network through which

insurance information is received. Hence, claim 22 is believed to be allowable, at least for this additional reason.

Claims 23-27 depend from claim 22 and are believed to be allowable, at least for the reason stated above.

Conclusion

In view of the foregoing, the Applicants believe all claims now pending in this application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,

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